

## REMARKS

This Application has been carefully reviewed in light of the Office Action mailed June 30, 2008. At the time of the Office Action, Claims 1-26 were pending in this Application. Claims 1-26 were rejected. Claims 1, 2, and 23-26 have been amended to further define various features of Applicants' invention. Applicants respectfully request reconsideration and favorable action in this case.

### Rejections under 35 U.S.C. § 112

Claims 1, 2, and 24-26 were rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants amend Claims 1, 2, 24-26 to overcome these rejections and respectfully request full allowance of Claims 1, 2, and 24-26 as amended.

### Rejections under 35 U.S.C. §103

Claims 1-21 and 23-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2003/0169713 filed by Hui Luo ("Lou") in view of U.S. Patent Publication 2003/0027595 filed by Richard Paul Ejzak ("Ejzak"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claim 22 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Lou* in view of *Ejzak* as applied to Claim 1 above, and further in view of U.S. Patent Publication 2002/0136226 filed by Thomas W. Christoffel et al. ("Christoffel"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

In order to establish a prima facie case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Even if each limitation is disclosed in a combination of references, however, a claim composed of several elements is not proved obvious merely by

demonstrating that each of its elements was, independently, known in the prior art. *KSR Int'l. Co. v. Teleflex Inc.*, 127 S.Ct. 1727, 1741 (2007). Rather, the Examiner must identify an apparent reason to combine the known elements in the fashion claimed. *Id.* “Rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” *Id.*, citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006). Finally, the reason must be free of the distortion caused by hindsight bias and may not rely on ex post reasoning. *KSR*, 127 S.Ct. at 1742. In addition, evidence that such a combination was uniquely challenging or difficult tends to show that a claim was not obvious. *Leapfrog Enterprises, Inc. v. Fisher-Price, Inc. and Mattel, Inc.*, 485 F.3d 1157, 1162 (Fed. Cir. 2007), citing *KSR*, 127 S.Ct. at 1741.

The Examiner stated that *Luo* discloses a method for authenticating a subscriber for utilizing services in a wireless LAN while using an IP multimedia subsystem. To this end, the Examiner considers the WLAN subnet 104 disclosed by *Luo* as the IP multimedia subsystem. (Office Action, page 3, last paragraph) Applicant respectfully disagrees. *Luo* teaches a zero-configuration secure mobility networking technique with a web based authentication interface for large WLAN Networks. *Luo* in particular discloses that the large scale WLAN network 100 comprises a plurality of WLAN subnets 104 each comprising a plurality of access points MAP 102. However, *Luo* does not disclose that the wireless LAN is coupled with an IP multimedia subsystem of a mobile radio network. The preamble of claim 1 clearly defined that the IP multimedia subsystem is a subsystem of a mobile radio network. Because the body of claim 1 refers to the IP multimedia subsystem, the limitation that the IP multimedia subsystem is part of a mobile radio network is automatically included. Even though not necessary, Applicant repeated this limitation in the body of claim 1. *Luo* neither discloses nor suggests a mobile radio network coupled with the WLAN. Moreover, *Luo* merely discusses the authentication through a single access point via a link-layer authentication process. (See, *Luo* page 3, paragraph [0018]) Finally, the mobile device uses a completely different authentication process that requires a specific web authentication server 114 to be present in the WLAN environment.

*Ejzak* neither discloses or suggests to use the authentication obtained through a SIP registration as the authentication for a wireless LAN. The Examiner considered the radio area network to be the same as a wireless LAN. (Office Action, page 4, first full paragraph) Applicant respectfully disagrees. As stated above, the preamble clearly distinguishes between a wireless LAN and a mobile radio network. It is in fact the invention to use an authentication procedure that is available in the mobile radio network through an SIP registration to authenticate the mobile device in a wireless LAN. Hence, the Examiner cannot substitute the terms randomly as their meaning in the context of the claims is clearly defined.

In summary, none of the cited prior art alone or in combination discloses the limitations of the present independent claims. Hence, applicant respectfully requests withdrawal of the rejections of the independent claims. Applicants respectfully submit that the dependent Claims are allowable at least to the extent of the independent Claim to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

**Association of Customer Number and Change of Correspondence Address**

Applicants respectfully request that all papers pertaining to the above-captioned patent application be associated with Customer No. **31625**, and direct all correspondence pertaining to this patent application to practitioners at Customer Number **31625**. All telephone calls should be directed to Andreas Grubert at 512.322.2545. A Revocation and Power of Attorney is filed herewith.

### CONCLUSION

Applicants have now made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicant respectfully requests reconsideration of Claims 1, 2, and 23-26 as amended.

Applicants respectfully submit a Petition for One-Month Extension of Time. The Commissioner is authorized to charge the fee of \$130.00 required to Deposit Account 50-2148 in order to effectuate this filing.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,  
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Date: October 22, 2008

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